



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,549	10/31/2000	Joanne M. Piotrowski	45118-00032	1224

7590 04/02/2004

Marsh Fischmann & Breyfogle LLP
3151 South Vaughn Way
Suite 411
Aurora, CO 80014

EXAMINER

TO, BAOQUOC N

ART UNIT	PAPER NUMBER
----------	--------------

2172

DATE MAILED: 04/02/2004

15

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/702,549

Applicant(s)

PIOTROWSKI ET AL.

Examiner

Baoquoc N To

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 35-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 35-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Prosecution Application

1. The request filed on 01/23/04 for a Request For Continued Examination (RCE) under 37 CFR 1.53(d) based on parent Application No. 09/702549 is acceptable and a RCE has been established. An action on the RCE follows.
2. Claims 35-57 are pending in this application.

Response to Arguments

3. Applicant's arguments filed 01/23/04 have been fully considered but they are not persuasive.

The applicant argues "the combination of the references also do not make obvious the applicant's present invention because neither teaches or suggests a database system where assets are easily added, removed and/or amended such that other locations in the system do not need to be updated in conjunction wherewith."

The examiner respectfully disagrees with the above argument because the claims are interpreted in light of the specification, limitation from the specification are not read into the claim, *In re Van Guens* 988 F.2d 1181, 26 USPQ2d 1057 (Fed.Cir 1993). It is reminded that Applicant cannot rely on the specification to impart to the claims limitations not recited therein. Such reliance is ineffective to define over the prior art. *In re Lundberg*, 244 F2d 543, 113 USPQ 530 (CCPA 1957); *In re Winklans*, 188 USPQ 129 (CCPA 1975). Applicant are further reminded of the clear difference between

Art Unit: 2172

reading the claim in light of the specification as allowed by 35 U.S.C. 112, 6th paragraph, and by *In re Donaldson* 29 USPQ2d, 1845, 16 F.3d 1189 (Fed. Cir, 1994), and reading limitations of the specification into the claims *In re Prater* 415 F2d 1393, 162 USPQ 541 (CCPA 1969). Further, the Applicants always have the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified, *In re Prater*, 162 USPQ 541, 550-51 (CCPA 1969).

The applicant also argues "neither system provides the functionality for a system user to review to various hierarchal identifiers on a plurality of interactive user interfaces and then make a selection from them."

The examiner respectfully disagrees with the applicant argument because Takano suggests the multiple interactive displays for example (display 101) (col. 4, lines 55-59) and related category display area 60 displays related category names as labels 601 and 602 (col. 6, lines 16-19) wherein category names can be selected and retrieval of the information. Krellenstein suggests "each of the result categories can be display as a plurality of icons on the monitor (e.g. folder). When a particular search results category is selected by the user, the display processor also can provide a graphical representation of the number of records in the search result category, additional search result categories and a list of the most relevant for display...the user select a search result category (step 46) and view additional search result categories (if the number of records is greater than a particular value) along with the list of record included in that category" (col. 5, lines 23-34) wherein the system allowing of plurality of displays of the

search results. Both Takano and Krellenstein are in the same field of endeavor therefore, the teaching of Krellenstein make the missing of Takano in order to arrive applicant invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 35-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takano (US. Patent No. 5,940,831) in view of Krellenstein (US. Patent No. 5,924,090).

Regarding on claims 35 and 46, teaches a system for accessing and presenting asset information on a graphical user interface comprising:

A plurality of assets each stored in a single location in a database (file content stored in the server) (col. 3, lines 64-67) wherein each of the assets has a profile associated therewith and each of the profiles includes at least one hierarchal identifier (node identifiers 001, 003 and 007) (col. 4, lines 60-67);

A plurality of interactive screen displays (displaying 101) (col. 4, line 55-60) and (display 60 displays the related category names as labels 601 to 602) (col. 6, lines 16-20), each presentable on a user interface, and accessible over a data network, each of

Art Unit: 2172

the interactive screens displays further including at least one of the hierarchal identifiers which are user selectable (node identifier 001, 003 and 007) (col. 4, lines 60-67); and

A user interface page generator which based on selections made by a system user dynamically generates one or more pages which include selected area for the identified assets (col. 4, lines 65-67), wherein the one or more pages are presentable on a user interface device and configured such selected data for the identified assets is further selectable by a system user and associated data for the selected process asset is presentable on the user interface device (col. 4, lines 60-67).

Takano does not explicitly teach a search and compile apparatus, which in response to a user selected hierarchal identifier from one of the interactive screen displays, performs a search of the profiles and identifies the assets which includes the selected hierarchal identifier. However, Takano teaches the retrieving the content files by the hierarchal node identifier node 001, 003 and 007 (col. 4, lines 60-67). On the other hand, Krellenstein teaches, "the grouping processor 14 performs a plurality of processing step to dynamically create the set of search result categories. The record processor 16 identifies various characteristics (e.g., subject, type, source and language) associated with each record in the search result list (step 36). The candidate generator 18 identifies common characteristics associated with the records in the search result list and compiles a list of candidate categories (step 38) (col. 5, lines 4-11). This teaches compiling process to produce the result list from the search. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Krellenstein into Takano because compiling the records to

Art Unit: 2172

Takano's
produce the results list would allow ~~the~~ system to generate the information need to be retrieve by the selected conditions.

Regarding on claims 36 and 47, Takano teaches the assets are processes and procedures for an organization (category and title) (col. 4, lines 60-67).

Regarding on claims 37 and 51, Takano teaches the hierarchal identifier includes at least one of: a tier designation associated with a particular organizational level, a functional area, a certified asset designation, a sample asset designation, draft asset designation, a serial number (node identifier) (col.4, lines 60-67), and a alphanumeric title.

Regarding on claims 38 and 53, Takano teaches the associated data includes at least one of: a document version of the asset (content files) (col. 5, lines 24-26), one or more changes requests associated with the asset, replaced assets, and sample assets.

Regarding on claims 39 and 52, Takano teaches the associated information is accessible through a database link establishable with the profile (col. 5, lines 19-25).

Regarding on claims 40 and 48-50, Takano teaches the data network includes at least one of: the Internet (col. 1, lines 24-26), an internet, a local area network (LAN), and the at least one page and the one or more generated pages are accessible employing at least one of: a web browser, a web server, and HTML page generator (col. 6, lines 60-63), one or more relational database.

Regarding on claim 41, Takano teaches the tiered designation include: tier 0 which relates to organization policy statements (node identifier), tier 1 which relates to policy documents which relate to a unit within the organization, tier 2 which relates to

the unit's processes and procedures (host), tier 3 which relates to process and procedures for one or more subunits (file name), and tier 4 which relates to information not otherwise classifiable (title) (fig. 2).

Regarding on claims 42 and 55, Takano teaches to select limit access to the assets (col. 7, lines 53-55).

Regarding on claims 43 and 54, Takano teaches one or more pages are configured so that a system user may enter one or more of the change requests relating to one or more of the assets and the system is configured to automatically associate with one or more change requests with the profile for the one or more assets (col. 8, lines 26-31).

Regarding on claims 44 and 56, Takano teaches one or more page may be configured as a road map including one or more links to the assets related to a process described in the road map (col. 5, lines 65-67 and col. 6, lines 1-6).

Regarding on claim 45, Takano teaches the overall process is initiation and operating of a program within the organization (program to retrieve information) (col. 4, lines 3-10).

Regarding on claim 57, Takano teaches providing a search function (retrieve function) through which search terms may be entered and employed to locate one or more of the assets (col. 5, lines 10-18).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is (703) 305-

Application/Control Number: 09/702,549
Art Unit: 2172

Page 8

1949 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at (703) 305-9790.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.


The fax numbers for the organization where this application or proceeding is assigned are as follow:

(703) 872-9306 [Official Communication]

Hand-delivered responses should be brought to:

Crystal Park II
2121 Crystal Drive
Arlington, VA 22202
Fourth Floor (Receptionist).

Baoquoc N. To
March 31, 2004


JEAN M. CORRIELLUS
PRIMARY EXAMINER